

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

LIFE AFTER HATE, INC., a/k/a)	
EXIT USA,)	
)	
Plaintiff/Counter-Defendant,)	Case No. 18-cv-06967
)	
v.)	
)	Judge Virginia M. Kendall
FREE RADICALS PROJECT, INC., and)	Magistrate Judge Jeffrey Cole
CHRISTIAN PICCIOLINI,)	
)	Jury Trial Demanded
Defendants/Counter-Plaintiffs,)	
)	
CHRISTIAN PICCIOLINI,)	
)	
Third-Party Plaintiff,)	
v.)	
)	
TONY MCALEER, SAMMY RANGEL,)	
ANGELA KING, and FRANK MEEINK,)	
)	
Third-Party Defendants.)	

**COUNTER-DEFENDANT’S AND THIRD-PARTY
DEFENDANTS’ MOTION TO DISMISS**

Counter-Defendant, Life After Hate, Inc. a/k/a Exit USA (“LAH”) and Third-Party Defendants, Tony McAleer, Sammy Rangel, Angela King, and Frank Meeink (collectively, the “Board Members”), pursuant to Fed.R.Civ.P. 12(b)(6), hereby move for dismissal with prejudice of the Counterclaim and Third-Party Complaint filed by Defendant/Counter-Plaintiff, Free Radicals Project (“FRP”) and Defendant/Counter-Plaintiff/Third-Party Plaintiff, Christian Picciolini (“Picciolini”). In support of their motion, LAH and the Board Members submit herewith a separately filed memorandum of law.

As set forth more fully in the separately filed memorandum, which is incorporated hereby by reference, Picciolini's and FRP's claim against LAH and/or the Board Members are subject to dismissal for a number of reasons. First, portions of Counts IV, V, VI and X are preempted by the Copyright Act. Second, each of Picciolini's and FRP's claims in Counts I through X fails to state a claim upon which relief can be granted.

WHEREFORE, Counter-Defendant, Life After Hate, Inc. a/k/a Exit USA and Third-Party Defendants, Tony McAleer, Sammy Rangel, Angela King, and Frank Meeink, respectfully request entry of an Order dismissing the Counterclaim and Third-Party Complaint in this case with prejudice and providing any further relief this Court deems just and appropriate.

Respectfully submitted,

LIFE AFTER HATE, INC. a/k/a EXIT USA,
TONY MCALEER, SAMMY RANGEL, ANGELA
KING, and FRANK MEEINK,

By: /s/ James J. Sipchen

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CERTIFICATE OF SERVICE

I, James J. Sipchen, hereby certify that on March 21, 2019, I filed the foregoing document via the CM/ECF System, which caused notification of such filing to be sent to the following parties via electronic mail:

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